

**“Curbing the Spread of Weapons of Mass Destruction and Related Knowledge:
What more should be done?”
North Atlantic Alliance’s Seminar on WMD Proliferation Issues,
18-19 April 2007, Vilnius, Lithuania**

**Statement by Ambassador Peter Burian
Chairman of UN SC 1540 Committee**

UNSCR 1540 and 1673 Implementation

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen,

On behalf of the UN Security Council 1540 Committee I would like to express my thanks to the organizers for inviting me to address the first theme of the Conference and thus explain the significance of UNSC resolutions 1540 and 1673. The main objective of resolution 1540 is preventing the proliferation of weapons of mass destruction, their means of delivery and related materials and deterring non-state actors from accessing or illicit trafficking in such items.

This event has a particular relevance to the work of the 1540 Committee since it is aimed at fostering the global partnership and cooperation between States, international and intergovernmental organizations as well as academic and NGO communities in order to strengthen a global response to the threat of proliferation of weapons of mass destruction.

Nobody doubts today that there are few greater threats than a terrorist attack with weapons of mass destruction. The series of terrorist attacks of the past decade, ranging from massive embassy bombings in East Africa, the indiscriminate bombings in trains in Europe and Asia and resort areas in Asia and the Middle East, the terrorist attacks in the Russian Federation, the plots to blow up passenger planes, and the massive terrorist attacks of 9/11, all clearly indicate that terrorists will not hesitate to use even the deadliest weapons if they acquire them.

The Security Council recognized this threat, and on 28 April 2004 unanimously adopted resolution 1540 (2004) under Chapter VII of the United Nations Charter, affirming that the proliferation of weapons of mass destruction and their means of delivery, as well as illicit trafficking in related materials constitute a threat to international peace and security. This was actually the first Security Council resolution describing proliferation as a threat to international peace and security.

I am pleased to note that there is a growing awareness of the importance of resolutions 1540 and 1673 to global, regional and national security. Since the adoption of the resolution significant progress has been achieved in implementation of its provisions in various regions. At the same time I have to recognize that there are still many challenges and problems to be addressed to achieve full worldwide implementation of all aspects of resolution 1540.

What has the 1540 Committee accomplished in its efforts to implement the resolution?

As of now, 136 Member States and one organization have submitted national reports on measures they have taken or plan to take to implement resolution 1540, and 85 of them have provided additional information in response to the Committee’s request for updates or

adjustments based on hitherto unreported measures. These numbers include all the members of NATO. The Committee has developed and uses a standard matrix to examine each report and has also created a legislative database for each State. Efforts are being made through regional outreach activities to encourage and assist the 56 States that have not yet submitted a first report, especially in Africa the Caribbean and the Pacific, to do so.

In April 2006 the Committee submitted a comprehensive report to the Security Council on the work of its first biennium. The report makes clear that according to the matrix entries, virtually all States face significant gaps between the measures they have taken to prevent WMD proliferation and their binding obligations under the resolution. The report, among other observations and conclusions, identified several important gaps in the implementation of resolution 1540 in the areas of accountability, physical protection, border controls, law enforcement efforts and national export and trans-shipment controls, including controls on providing funds and services such as financing to such export and trans-shipment.

Compared with the overall average, the States that are represented here have taken numerous steps towards fulfilling their obligations under resolution 1540. At the same time there is no room for complacency. More needs to be done with the help of tools States may devise for themselves, such as road maps or national implementation plans as suggested by the Committee in its new program of work.

In the recommendations of the Committee's report to the Council, the Committee emphasized, among other things, the need for further implementation of border and export control legislation and related enforcement measures to fulfill obligations under resolution 1540. It also encouraged States to create or enhance national systems to license export items and to establish or strengthen national systems to control transactions relevant to requirements under resolution 1540, including measures to control transit, trans-shipment or re-export. It also invited States to make available additional information on national implementation to the Council, in order to facilitate international cooperation on assistance.

In this regard I would like to underline that States should be aware that unless they meet their obligations in full, by enacting and enforcing national legal and regulatory measures and by committing to international cooperation on non-proliferation, their territories could be exploited in the worst possible ways.

What more should be done?

The first measure of success in the implementation of resolution 1540 is reflected in the degree of advancement in worldwide awareness of, and respect for, the letter and spirit of its provisions. In this respect we have strived in our intensive outreach campaign last year to create and promote general awareness of the fact that resolution 1540 concerns all States and not only those that possess materials and technologies relevant to nuclear, chemical or biological weapons. Every single country and nation has to implement fully the resolution.

Through support of individual Member States, donors, NGOs and international and regional organizations we have created important momentum in the implementation process which must be utilized now for strengthening a global response to the threat of proliferation of weapons of mass destruction through further practical measures.

Thus, while the year of 2006 was dominated by our efforts to increase awareness of the significance of resolution 1540, this year we will concentrate on further progress in implementation of all aspects of the resolution. We need, however, to define the best ways and practices to help to achieve that goal by all UN Member States, as the global system of fighting proliferation is only as strong as its weakest link.

The outreach activities conducted by the Committee during 2005 and 2006 demonstrated that a major assistance effort is needed to ensure full implementation of resolutions 1540 and 1673. The issue of regional cooperation has also dominated the discussions at outreach events. Many participants in these events have stressed the need for assistance and intensified regional cooperation as a way to address difficulties of implementation connected with lack of administrative, technical and expert capacities, as well as lack of financial and human resources. However, the international community still lacks a coherent strategy to this end. The Committee has accorded high priority to this area and is developing its role as a clearing house for assistance. In the beginning of May, the Committee will conduct a thematic debate for the Committee to discuss its strategy on technical assistance and its role in facilitating cooperation between countries requesting assistance and those who are able to provide it.

The Committee has already identified and put together information concerning both needs for and offers of assistance and will be updating this information. We invite both the States making offers of assistance and those requesting assistance to take a proactive approach on a bilateral basis, including making use of offers by international organizations, in order to contribute to capacity-building. We would also appreciate the cooperation of all States represented here.

In this respect we have invited organizations and multilateral arrangements, which already have experience and also effective tools and operational practice from the control of the movement of sensitive materials, to share their knowledge with others, possibly in a form of most commonly used or best practices. Those *best practices* might serve States as a source of inspiration when planning or enacting specific national measures on the implementation of resolution 1540.

It is clear that the task of promoting full implementation of resolutions 1540 and 1673 is too complex to be fulfilled by a single UN Security Council subsidiary body. Hence, in my view and in view of many other Committee members, co-operation with, and even coordination of some activities among various international, regional and sub regional bodies should be used more effectively and put into practice by States.

The importance of cooperation with relevant organizations was underscored recently when the Security Council devoted an open session on 23 February, at which States, as well as the IAEA, the OPCW and the World Customs Organization explored modalities for practical cooperation. The Council reiterated its determination to enhance its cooperation with international organizations and to develop preferred mechanisms for cooperating with them on a case by case basis, reflecting the variation in each organization's capacity and mandate, including in assisting States in implementing UN Security Council resolutions 1540 and 1673. In the near future we want to expand this cooperation and use the comparative advantages, potential and expertise of the international organizations, arrangements and individual countries in advancing the process of implementation of resolutions 1540 and 1673.

In my view and in the view of members of the Security Council, many international organizations and multilateral regimes, including those who are participating in this conference, have the base of knowledge and experience that States could avail themselves of

to gain the capacity to implement fully resolutions 1540 and 1673. In this respect I would like to invite States once again to make available their additional information, including road maps or plans of action as mentioned above, to the Committee, in order to facilitate international cooperation on assistance.

I would like to conclude by using the words as they were stressed by one delegation and backed by others in the Open Debate on 23rd February 2007: “... *we need to work at all levels – nationally, sub-regionally, and internationally. We need a coalition of all those who are able to help ...*” Multilateral cooperation could work to advance the national security interests of all states and the strengthening of international peace and security.

In this regard, I would like to encourage you to engage with the 1540 Committee in a continuous dialogue on addressing remaining measures to be taken to implement resolution 1540, taking into account the Committee’s examination of reports states have submitted to it. It might be useful, for instance, to establish points of contact in your countries for a more operational and effective communication with the Committee on matters of mutual interest.

Again, I would like to thank all the organizers for providing the opportunity to address the issue of non-proliferation of sensitive goods and technologies, a matter that is in all of our interests. I expect the conference will generate new ideas on how to strengthen international cooperation in the area of non-proliferation and also on how to intensify interaction of individual countries and international organizations and arrangements with the UNSC 1540 Committee to achieve full implementation of resolutions 1540 and 1673.

I thank you for your attention.